

CITY OF DENISON

City Hall  
300 W. Main Street  
Denison, TX 75020

903.465.2720 | Phone



Welcome to Team Denison,

Thank you for committing to serve our community on a City Board or Commission! Our staff trusts you and our other Board and Commission members to share your unique perspective and experience to thoughtfully vet and improve projects and ideas. The Council relies on our City Boards and Commissions to make recommendations based on what is in the community's best interest and to keep our City "Moving Forward." Denison is better because of residents like you!

The City Council approved the Boards and Commissions Policy Manual at their Regular Meeting on May 18, 2020. Its purpose is to help empower you to make the best decisions possible in your role on a City body. The manual explains the processes laid out in State Law and City Ordinance, and the duties of those who serve. It is intended as a resource for you to use throughout your time serving on a Board or Commission.

Depending on the body on which you serve, you may be able to provide insight on an affordable housing initiative, help vet applications for funds used to draw visitors to our City, or even make a recommendation to Council for use of grant funds. The decisions and guidance you give can help improve our City today and will have a lasting effect in our community.

Thank you for joining our community of volunteers!

Sincerely,

A handwritten signature in blue ink that reads "Janet Gott".

Janet Gott  
Mayor

Janet Gott  
Mayor

Teresa Adams  
Council Place 1

Obie Greenleaf  
Council Place 2

JC Doty  
Council Place 3

Robert Crawley  
Council Place 4

Kristofor Spiegel  
Council Place 5

Brian Hander  
Council Place 6

Judson Rex  
City Manager

*Moving Forward. Kicking Back.*

# Boards & Commissions Policy Manual

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2020



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# INTRODUCTION

Denison is named after the Missouri-Kansas-Texas Railroad (MKT) Vice-President George Denison. Due to the strategic intersection of the MKT and the Red River, Denison became a very important commercial center in the 19<sup>th</sup> century American West. During the 1940's, the economy was strongly impacted by the establishment of Perrin Air Force Base, today known as the North Texas Regional Airport. The Birthplace of President Dwight D. Eisenhower, Denison is known for its rich history and budding tourism.

Members of boards and commissions provide an invaluable service to our City. Through the over 20 boards and commissions established by the Denison City Council, citizens can provide input on the policies that shape their government and their city. They advise the City Council on a wide variety of subjects by making recommendations on important policy matters. As services and programs provided by the City continue to grow, boards and commissions play an integral role in providing detailed studies and considered advice to City Council. Boards and Commissions are often catalysts for innovative programs and improved services.

Serving on a board or commission can be a rewarding experience for community service-minded residents. It is an excellent way to participate in the functioning of local government and to make a personal contribution to help shape the future of Denison. Making local government effective and responsive is everybody's responsibility.

This Boards and Commissions Manual provides information about applying for and being a member of a Denison Board or Commission. It explains the roles and responsibilities of board members in relationship to the Denison City Council, City staff and the community. Please take advantage of the information provided to be successful as a member of a Denison Board or Commission.

Thank you for your interest in serving your community! Your efforts will make Denison a better place to live and work.

# OVERVIEW

The City of Denison operates under a Council-Manager form of government, which is prescribed by its Charter. Under the Council-Manager system, Denison City Council provides leadership by establishing the City's policies. They are the leaders and policy makers elected to represent the community and to concentrate on policy issues that are responsive to citizens' needs.

The City of Denison has around 20 active boards and commissions. Many are advisory in nature to the City Council, while others have distinct responsibilities that are established by law.

Advisory boards make recommendations to Council. They do not have the authority to make independent decisions but rather they give advice and direction.

Boards and Commissions must ensure all actions are aligned with the goals, objectives, adopted plans and policies of the City of Denison.

As a member of a board, you represent the City of Denison. Along with the opportunity to serve the City comes the requirement that you abide by all of the applicable rules and laws that govern ethical behavior.

A specific City department provides staff support for each board. The staff support will help the board prepare agendas, maintain minutes and keep attendance records for board members.

## CITY OF DENISON VALUES

The City of Denison is working to create a vision for our community that is built upon a series of Core Values and commitment to a Core Purpose. Your role as a Board Member or Commissioner is an integral part of achieving that vision. The work you do will set the tone for the entire organization and what you recommend to approve or deny will either further our living into our vision or diminish our ability to do so. As a Board Member or Commissioner your primary role is to recommend policy for Council consideration or to provide feedback to staff that helps steer the City in a direction that actualizes our Organizational Vision.

### Core Purpose:

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To responsibly provide municipal services that enhance the quality of life of our citizens, encourage commerce and industry, and promote the health, safety and general welfare of the community.

### Core Values:

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**SERVICE** – being open and approachable to council members, citizens and our fellow employees at all times; treating our customers like we would like to be treated; fostering a servant’s heart in ourselves and each other by conscientiously doing what is best for the community in all cases; passionately committed to serving others; helping to make our citizens lives better; finding ways to say yes.

**TEAMWORK** – recognizing the importance of working together to meet everyone’s needs, treating everyone with respect and equality; sharing resources and information freely; communicating regularly and honestly with council members, citizens and employees; having a can-do attitude.

**ACCOUNTABILITY** – delivering on promises made, taking personal responsibility for achieving community minded goals; keeping each other honest, humble and proud of our individual and collective accomplishments as an organization and as a community.

**COMMITMENT** – demonstrating through our actions that we can be counted on to do what we say we will do, in the timeframe we say we will do it in; leading by example; consistently doing what is necessary, expected and required, and when able to do so, exceeding expectations.

**INTEGRITY** – possessing an unwavering commitment to doing the right things right; consistently adhering to high professional and ethical standards; keeping commitments to our citizens, co-workers and others.

### **Organizational Vision:**

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Within thirty (30) years, the City of Denison will be known as a thriving, regional leader that other communities strive to be like, and where people consciously decide to live and locate their businesses. It is a beautiful City, with quality, well maintained housing for all income levels. It serves as a regional employment center and provides a rich and varied shopping experience. It is a community that offers regionally renowned parks and recreation facilities and it is well known for enjoying an excellent quality of life.

## **CITY GOVERNMENT STRUCTURE**

### **Home Rule Charter**

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Texas city government was founded on the premise that local communities know best how to run their local affairs. Consequently, Texas State Law (Article XI, Section 5) provides that any city with a population over 5,000 may adopt a home rule charter which promotes local autonomy.

The City of Denison developed and adopted a Home Rule charter in 1957. A new charter was enacted in 1975 and amended in 1985. This charter established a Council-Manager form of government, which authorizes the City Council to enact legislation, approve and adopt budgets, determine policies and appoint the City Manager, City Attorney and Municipal Court Judge.

Texas cities have three major objectives when adopting home rule charters:

1. To create a favorable climate for more direct governing of cities by their citizens,
2. To secure adequate powers so that municipalities can meet increased demands for services,
3. To avoid interference in local government by the state legislature.

If a city is home ruled, it means that the city looks to the State constitution and State statutes to determine what they are unable to do. Thus, if a home rule city action has not been prohibited or preempted by the state, the city as a rule, can proceed with the action. Although city charters enlarge local power, charters must not conflict with state constitutions or statutes enacted prior to the adoption of a charter.

### **Mayor**

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The Mayor is the chief elected official. The Mayor presides at all meetings of the City Council and is recognized as the head of the City government for all ceremonial purposes, emergency

purposes, military purposes and receiving service of civil process. The Mayor, as a member of the Council, is entitled to vote but does not hold veto power.

## City Council

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The governing body of the City is known as the “City Council of the City of Denison”. The Council is charged with enacting legislation, adopting budgets, determining policies, appointing the City Manager, the City Attorney, the Municipal Court Judge. The City Council takes official action by two means: resolutions and ordinances. A resolution generally states a position or policy of a city. An ordinance is a local law that usually regulates persons or property and usually relates to a matter of a general and permanent nature.

The Council is composed of the Mayor and six Council Members. Council Members are elected to three-year terms, with no more than two consecutive terms. The Council is numbered Place 1 through Place 7. Places 1 – 4 are Single Member Districts, meaning the Council Member must reside within their respective district. Places 5- 7 are “At Large”, with the person occupying Place 7 on the Council being the Mayor.

## City Manager

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Appointed by the City Council, the City Manager is the chief administrative and executive officer of the City to oversee administrative operations, implement City Council policy and advise the City Council on items that come before them for consideration. The City Manager is responsible for the proper administration of all the affairs of the City and appoints all directors, with the exception of the City Attorney and the Municipal Judge, who are directly appointed by the City Council.

## City Clerk

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The City Clerk is a statutory position required by state law and the City Charter. The City Clerk is appointed by the City Manager and confirmed by the Council. The City Clerk is responsible for administering all regular and special elections in compliance with the Texas Election Code, acts as custodian of all official records of the City, handles codification of City ordinances, is responsible for the permitting for liquor, amplified sound, sell and solicit and mobile roadside vendors. The City Clerk also prepares and posts Council Agendas and attends all City Council meetings while keeping accurate records of all meetings. The City Clerk also provides information through open records requests and makes sure all responses are within the requirements of the Texas Public Information Act.

## City Attorney

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The City Attorney is the legal advisor of the City Council, offices and departments of the City and represents the City in all legal proceedings. This position is appointed by the City Council.



## BOARDS & COMMISSIONS

In addition to the Boards and Commissions established by the City Charter, the City Council has the power to create additional boards and commissions to advise the City Council on various issues.

The City Clerk provides application forms, also provided on the website, to all qualified citizens who express an interest in serving on a Board or Commission. The City Council appoints qualified persons to the Boards and Commissions, and all Board Members and Commissioners are subject to removal by the City Council. The City Council, by ordinance, sets the size, quorum, length of terms, rules of order and organization of each Board and Commission

Any particular board or commission may belong to one or more of the types listed below, and all boards and commissions act on an advisory level. Some boards are titled “commissions,” and the members are referred to as “commissioners.” However, references to a “board” or “board member” in this Manual have the same meaning as “commission” or “commissioner.”

The City of Denison has several different types of boards and commissions.

- 1) Advisory boards and commissions advise the City Council on public policy. They play a very important role in city government by providing the City Council with creative ideas, feedback from the community and by serving as a sounding board for proposed public policy. The role of advisory boards and commissions is not to make policy, nor do they have any legal authority.
- 2) Decision-making boards and commissions may serve as advisory groups to the City Council, but in addition they have quasi-judicial authority, and often are created by state law. Decision-making boards and commissions set or enforce policy and make legally binding decisions. The ordinances creating decision-making boards often require the members to have expertise in certain areas.
- 3) Separate entity boards and commissions are actually separate legal entities apart from the City of Denison. However, they may receive a significant portion of their funding from the City and/or the City appoints some or all of the members. The members of these boards usually oversee an operation or organization much as would a board of directors.
- 4) Ad-hoc committees, boards and commissions are created periodically to address specific needs or concerns for a limited period of time. They are almost always strictly advisory in nature. The City Council shall have the authority to create ad-hoc committees and to appoint members thereto with a simple majority vote.

### How do Boards and Commissions Operate?

Each board receives its charge from the Texas statutes and/or from a City ordinance or resolution establishing the board.

The City Council may, from time to time, ask a board to consider specific items not in conflict with existing laws.

An orientation by the City staff liaison may be conducted for all new appointees.

From time to time, additional training sessions for board members may be provided through City staff, Texas Municipal League and other training groups and organizations. The City Council encourages members to take advantage of these opportunities.

No board or commission member who is not present at a meeting shall be allowed to vote by proxy.

The board must comply with open meeting laws, including public notice of meetings. Board meetings, with limited exceptions, must be open to the public. Additionally, with limited exceptions, public notices of each meeting must be posted at least 72 hours prior to the meeting.

The board is to provide the City Clerk's Office with their schedule of regular meetings with the predetermined time and place. The schedule will be revised only in accordance with legal requirements for notice. Any deviation from a regularly scheduled or special meeting must be reported to the City Clerk's Office.

In order to conduct official business at a regular or special meeting, a quorum of the board must be present. In the absence of a rule, bylaw, or statute providing otherwise, a quorum is more than half of the members of the board, and in most instances not counting vacant seats. If a quorum is not present at any meeting, the chairperson must postpone the meeting until such time as a quorum can be present, provided adequate notice is given pursuant to the open meetings law.

A board may have a standing committee or an ad-hoc committee consisting of a number of board members that is less than a quorum. Such committees are not required to post notice of meeting or take minutes. However, the purpose of such committees is usually to study an issue and report back to the board as a whole.

## **BECOMING A MEMBER**

### **Purpose of Citizen Participation**

The City of Denison provides for continuous citizen input and advice through a wide variety of boards and commissions. Some of these are advisory in nature to the City Council, while others have distinct responsibilities that are established by law. The City Council encourages citizens to participate in their City government by volunteering to serve on these boards and commissions.

### **Application for Appointment**

A description of all City boards is available on the City's webpage, and also provided at the end of this manual. A brief application form stating the citizen's interest in serving on a board must

be submitted to the City Clerk. An application is required for consideration of any appointment or reappointment to a City board and may be filled out online on the City's website.

Once an application for an appointment has been filed with the City Clerk, it is placed on a resource list and remains active for a one-year period.

Applicants are encouraged to attend several meetings of a board prior to applying and/or appointment to a board.

Members of all boards created by the Council shall be appointed with the approval of the Council.

## Qualifications

Appointees to boards and commissions shall be residents of the City of Denison, and must maintain residency throughout the duration of their appointment, unless otherwise specified or provided for by law, ordinance, or Council action establishing said board or commission, or in the rules or bylaws of said board or commission, if approved by Council.

Efforts are made to represent the diversity that we have in our community on all boards, and criteria for appointments may be established to achieve appropriate diversity, except that preference shall be given to appointment of residents of a specific area of town for which an ad hoc or advisory committee may be appointed. Appointees must demonstrate effective, professional and courteous communication with residents, fellow board members, City Council members, city management and city staff.

Appointees are required to attend regular meetings, with any member that is absent more than twenty-five percent of all regularly and specially called meetings will be reviewed annually and subject to removal, attend special meetings and/or workshops as called and attend training sessions on Open Meetings Act, the Public Information Act, Board Governance, and other trainings as deemed necessary.

A statement of officer is required for boards and commissions. All appointed/reappointed board members shall take and sign a statement of officer following their appointment/reappointment.

An oath of office (or affirmation) is required for boards and commissions. All appointed/reappointed board members shall take and sign an oath of office or affirmation following their appointment/reappointment.

If a board member enters on the duties of his or her office before taking, subscribing and filing the oath of office, he or she may be removed from office.

## Terms

The term of service on most City boards is two years or three years, unless otherwise provided by law.

The length of service on all boards and commissions shall be governed by the bylaws of each board and commission, or by the resolution or ordinance that established the respective board or commission.

A member shall serve until the expiration of their term or until such time as a successor is appointed, whichever occurs later, unless otherwise provided by law.

Reappointment to a second term is not automatic and will be based on circumstances to be determined by the City Council in each individual case, if applicable. A new application is required in order to be reappointed.

## **RESPONSIBILITIES FOR BOARD MEMBERS & STAFF**

### **Attendance**

Appointees to boards and commissions are expected to attend all meetings possible. Any appointee that is struggling to regularly attend scheduled meetings should communicate such to the designated staff liaison. Often, meetings can be adjusted to ensure that all appointed members can attend. If an appointee simply cannot attend scheduled meetings, they may consider resigning or switching to another board or commission where attendance is possible.

The board chairperson or staff liaison shall be responsible for reporting on attendance to the City Clerk upon request.

### **Resignations and Replacements**

Any member of a board who desires to resign shall do so in writing to the City Clerk.

Unless otherwise provided by law, ordinance or resolution, all appointees by the City Council to a board or commission serve at the pleasure of Council and may be removed from a board or commission at the discretion of Council, where applicable.

For those boards and commissions whose members may be removed for cause, the cause shall include, without limitation, the following: conflict of interest, and failure to attend meetings.

### **Ad Hoc Committees**

The City Council may appoint ad hoc committees to make recommendations regarding particular matters of interest within the City.

### **Role of the Chair**

The board bylaws or rules of order may give specific authority to the chair. However, generally, the chair, or in her/his absence, the vice chair, may perform the following duties:

- Presides at all meetings of the commission or board and ensures that the work of the commission or board is accomplished. To this end, the chair must exert sufficient control of the meeting to eliminate irrelevant, repetitious or otherwise unproductive discussion. At the same time, the chairperson must ensure that all viewpoints are heard and are considered in a fair and impartial manner. The chairperson cannot make rules related to the conduct of meetings or procedure without approval of the full board or commission.
- Appoints board or commission members to temporary committees and informal bodies subject to the approval of the full board or commission.
- Approves the agenda prior to distribution. This is limited to the structure and order of the agenda and does not grant the chairperson the authority to remove items submitted by other board or commissioner members or City staff.
- Signs correspondence on behalf of the board or commission.
- Represents the board or commission before the City Council with the formal approval of the board or commission by motion and vote.
- The chairperson or a quorum of the board or commission may call a special meeting. The chairperson may also cancel a regular meeting.

## Role of the Staff Support

The City Manager designates a City department to provide staff support for each board or commission. The department Director appoints an executive level staff person to serve as the liaison to the board or commission. The executive liaison ensures the board or commission complies with deadlines and code provisions, monitors the conflict of interest declarations to ensure the rules are followed, and helps the chairperson keep the board or commission functioning within their mission statement. The staff person shall help the board or commission prepare agendas, post meeting notices, maintain minutes and keep attendance records for board or commission members.

Staff liaisons and staff support are City of Denison employees with significant staff responsibilities that relate to the same work area as the advisory board or commission to which they have been assigned. They do not work “for” or “at the direction of” the group they support. The board does not supervise or manage staff liaisons and may not direct staff to perform work on behalf of the board. The board may make reasonable requests for information or resources they need by contacting the executive liaison.

## Staff Responsibilities

- Development of meeting agenda and information packets with chairperson of the board or commission
- Facilitate, answer questions, provide recommendations
- Act as a resource on City policies, procedures and information

- Writing action minutes from board and commission meetings when no board or commission secretary has been appointed
- Ensure that federal and state law, city ordinance and city policies are followed with regard to the operation and duties of the board

## What Makes an Effective Board or Commission?

There are some things you can do to make sure that your board or commission is strong and effective and that it has successful meetings. A successful meeting involves effective communication between individuals or groups. Good meeting planning and good facilitation skills are needed.

Here are a few pointers to conducting a successful meeting:

- Keep the meeting under control. The chairperson and board or commission members are responsible for making sure the meeting is conducted in an orderly manner. To do this, follow a set meeting procedure and explain the procedure to those present at the beginning of the meeting.
- Act promptly. Follow the published agenda and make decisions in a timely manner to ensure due process.
- Stay focused. Do not get bogged down in details or constant requests for more information. Bring issues to a consensus.
- Determine if the issues were clearly defined and fully addressed. Make sure you have enough information to reach a decision. You can do this by keeping an open mind, hearing all the testimony or information before discussing the pros and cons of an item, remaining focused on the facts, listening carefully before making or announcing a decision and avoid making the discussion personal.
- Ensure the board or commission's action is aligned with goals and objectives and adopted plans and policies of the City of Denison.
- Do your homework. Read and review your agenda and spend as much time as necessary to become thoroughly familiar with each matter. If you need more information, ask the staff. If you need to make a site visit for a better understanding – Go. The key is to know the facts so you can make an informed decision.
- Think about whether you have a conflict of interest with any item on the agenda. If so, you will need to file a conflict of interest form. The City Clerk's Office can provide you with a blank form. You will need to abstain from discussion and voting during the meeting. If you are unsure, consult with the City legal department.
- Be professional. Be cautious about mingling with friends, acquaintances, applicants or objectors in the audience before the meeting or during a recess as this can create the impression of bias, dishonesty or conflict.
- Be polite and impartial. Assist those who are not familiar with the protocol.

- Be attentive to those who are presenting their point of view. This is an important issue to them and their voice must be heard.
- Follow the bylaws for your board or commission, if applicable.
- Arrange your schedule to be at the meeting on time. This will ensure that a quorum is present and the business of the meeting can proceed. As soon as the scheduled meeting time has come, and a quorum is in the room, the meeting should be called to order.
- Follow the rules in the City Code and in the board or commission's bylaws. The rules provide that each person and board or commission member attending a meeting should observe decorum.

There are many ways you can have a successful board or commission. These are just a few. Think about your actions, how you present yourself, and how you represent the City. These things make an impact on your board or commission and its effectiveness.

You have been appointed to help the City Council make good decisions for the citizens of Denison. As a public official, there are certain responsibilities you must undertake and rules you need to know and abide by.

## Rules of Procedure

The City Council's Rules of Procedure are the adopted rules of procedure for City Council and all boards and commissions. Boards and commissions should apply these rules as practical. Note, some provisions will only apply to City Council.

## General Public

The purpose of board or commission meetings is to permit open discussion on specific topics in a setting that is more informal than a City Council meeting, to hear public expression on issues and to inform the public of what the board or commission is doing. Board members or Commissioners have the obligation to consider the welfare of the entire City, to be fair, objective and courteous, and to afford due process to all who come before them.

Public opinion must be sought but no board member or commissioner should permit their judgment to become subservient to the criticism of those citizens attending the meetings.

All communications from the board or commission to members of the public are transmitted through the board or commission chairperson or designee. Similarly, arriving communications are received and relayed to the board or commission through the staff contact. Staff is responsible for including all communications received in the agenda packet according to publication deadlines. Official responses to citizen inquiries must be approved by the full board or commission and sent via staff. The roster of board or commission members is a public document available in the Office of the City Clerk. The roster includes the name, residential or mailing address and either a home or business phone number of each board or commissioner. Board members or Commissioners may interact with the public; however, if board members/commissioners are contacted by the public outside a meeting, board

members/commissioners should encourage citizens to send their comments to staff for distribution to all board members/commissioners.

## Individual Board Members or Commissioners

An individual board member/commissioner may not represent the board or commission before the general public unless the City has authorized a board member or commissioner to do so. When an individual board member or commissioner is appearing in a private capacity before other boards, commissions, outside agencies, the media, or the general public, the board member or commissioner must clearly indicate that she/he is speaking as a private individual, not as an official representative.

## Press and Other Media

All media communications need to go through the City of Denison's Department of Community Engagement.

## KEY LEGAL REQUIREMENTS FOR TEXAS CITY OFFICIALS

[www.tml.org](http://www.tml.org)

## Open Government Training

Each elected or appointed member of a governmental body must take at least one hour of training in both the Open Meetings Act and the Public Information Act. For more information, please visit the Attorney General's Web site at [www.oag.state.tx.us](http://www.oag.state.tx.us).

A copy of the certification of course completion must be given to the City Clerk for filing within 90 days of appointment.

## Texas Open Meetings Act (TOMA)

**Definition of "meeting":** A meeting may occur any time a quorum of the board discusses public business that is within the board's jurisdiction, regardless of the location or means of communication (e.g., phone, in person, email).

**General rule:** Every regular, special, or called meeting of most boards (depending on membership and authority) must be open to the public.

**Exception:** TOMA does not apply to purely social gatherings, conventions and workshops, ceremonial events, or press conferences, so long as any discussion of city business is incidental to the purpose of the gathering.

**Exception:** A city may use an online message board that is viewable by the public for board members to discuss city business. The message board must meet several criteria provided for in TOMA.



**Exception:** Statutorily authorized executive or "closed" sessions, including deliberations concerning: (1) purchase or lease of real property; (2) consultation with attorney; (3) personnel matters; and (4) economic development. Advisory boards are typically not allowed to conduct a "closed" session.

To hold an executive or "closed" session, the governing body must first convene in open session, identify which issues will be discussed in executive session, and cite the applicable exception. All final actions, decisions, or votes must be made in an open meeting.

**Agenda:** A governmental body must post an agenda that includes the date, hour, place, and subject of each meeting. The agenda must be posted at city hall in a place readily accessible to the public at all times for at least 72 hours before the meeting. In addition, for cities that have an Internet website: (1) a city under 48,000 population must post meeting notices on its website; and (2) a city over 48,000 population must post the entire agenda on its website.

**Records of meetings:** Boards must keep written minutes or recordings of all open public meetings. The minutes must state the subject and indicate each vote, decision, or other action taken. Minutes should be approved at the next Regular board meeting.

**Penalties:** Penalties for violating the TOMA range from having the action voided to the imposition of fines and incarceration. Any action taken in violation is voidable and may be reversed in a civil lawsuit. There are four criminal provisions under the TOMA, including:

- Knowingly engaging in a series of communications concerning public business outside of a public meeting in numbers less than a quorum;
- Calling or participating in an unlawful closed meeting;
- Participating in a closed session without a certified agenda or tape recording; or
- Disclosure of a certified agenda or tape recording to a member of the public

## **Texas Public Information Act (PIA)**

**Definition of "public information":** Public information includes any information that is collected, assembled, or maintained by or for a governmental entity (including information held by an individual officer or employee in the transaction of official business), regardless of the format.

**General rule:** Most information held by a city (or a city official or employee) is presumed to be public information and must be released pursuant to a written request.

**Procedure:** Any member of the public may request information in writing. A city official is prohibited from inquiring into the requestor's motives, and is generally limited to:

- Releasing the information as quickly as is practicable, but generally not later than ten business days following the request; or
- Requesting an opinion from the Texas Attorney General's office within ten business days of the request as to whether the information may be withheld.

**Penalties:** Penalties for violating the PIA range from a civil lawsuit against the city or a city official to the imposition of fines and incarceration.

There are three general criminal provisions under the PIA, including:

- Refusing to provide public information;
- Providing confidential information; and
- Improperly destroying government information.

## Disclosure of Personal Information

The Texas Government Code, Section 552.024 deals with the disclosure of personal information for board members. Each employee or official of a governmental body and each former employee or official of a governmental body shall choose whether to allow public access to the information in the custody of the governmental body that relates to the person's home address, home telephone number, or social security number, or that reveals whether the person has family members.

An Election for Non-Disclosure Form is available for board and commission members if they chose to elect non-disclosure of the aforementioned information. This form must be filed within 14 days after the first meeting of the board member's appointment with the City Clerk.

The form is available through the office of the City Clerk or may be obtained from the city representative attending the specified board meeting.

## ETHICS

### Chapter 171 – Conflicts of Interest

**Definition of "conflict of interest":** A local public official has a conflict of interest in a matter if any action on the matter would involve a business entity or real property in which the official has a substantial interest, and action on the matter would confer an economic benefit on the official. A substantial interest would include if (1) the person owns 10 percent or more of the voting stock or shares of the business entity or owns either 10 percent or more or \$15,000 or more of the fair market value of the business entity; or (2) funds received by the person from the business entity exceed 10 percent of the person's gross income for the previous year.

**General rule:** If a local public official has a substantial interest in a business entity or real property, the official must file an affidavit with the City Clerk stating the interest and abstain from any participation or vote on the matter. A local public official is considered to have a substantial interest if a close relative has such an interest.

**Exception:** If a local public official has a conflict of interest and files an affidavit, the official is not required to abstain from further participation or a vote on the matter if a majority of the members of the governing body also have a conflict of interest and file an affidavit.

**Penalties:** Penalties for violating the conflict of interest provisions range from having the action voided to the imposition of fines and incarceration

## Chapter 176 – Conflicts Disclosure

**General rule:** Local Government Code Chapter 176 requires that mayors, councilmembers, city managers or administrators, and certain other city officials, must file a "conflicts disclosure statement" with a city's records administrator within seven (7) days of becoming aware of either of the following situations:

- A city officer or the officer's family member has an employment or business relationship that results in taxable income of more than \$2,500 with a person who has contracted with the city or with whom the city is considering doing business.
- A city officer or the officer's family member receives and accepts one or more gifts with an aggregate value of \$250 in the preceding 12 months from a person who conducts business or is being considered for business with the officer's city.

The bill also requires a vendor who wishes to conduct business or be considered for business with a city to file a "conflict of interest questionnaire" if the vendor has a business relationship with the city and an employment or other relationship with an officer or officer's family members, or has given a gift to either. The conflicts disclosure statement and the conflict of interest questionnaire were created by the Texas Ethics Commission and are available online at [www.ethics.state.tx.us](http://www.ethics.state.tx.us).

**Penalties:** An officer who knowingly fails to file the statement commits a class C misdemeanor, which is punishable by a fine of up to \$500.

## Chapter 553 – Conflicts Disclosure

**General Rule:** Government Code Chapter 553 requires a "public servant" who has a legal or equitable interest in property that is to be acquired with public funds to file an affidavit within ten (10) days before the date on which the property is to be acquired by purchase or condemnation. Chapter 553 applies to the acquisition of both real property (e.g., land) and personal property (e.g., a vehicle).

**Penalties:** A person who fails to file the required affidavit is presumed to have committed a Class A misdemeanor offense if the person had actual notice of the acquisition or intended acquisition of the property. A Class A misdemeanor is punishable by a fine not to exceed \$4,000, confinement in jail for a term not to exceed one year, or both.

## Nepotism

**Definition of "nepotism":** Nepotism is the appointment or employment of a close relative of a city's final hiring authority (the city council or city manager, depending on the form of government)" to a paid position with the city, within the third degree by consanguinity or within the second degree by affinity.

A public official may not appoint, confirm the appointment of, or vote for the appointment or confirmation of an individual to a position that is to be directly or indirectly compensated from public funds or fees of office if: 1) the individual is related to the public official within a degree described above, or 2) the public official holds the appointment or confirmation authority as a member of a state or local board, the legislature, or a court and the individual is related to another member of that board, legislature, or court within a degree described above.

**General rule:** A public official, acting alone or as a member of a governing body, generally may not appoint a close relative to a paid position, regardless of the relative's merit. In addition, the reverse applies. In other words, a person may not be elected to the city council if a close relative is employed by the city, unless the relative first resigns.

**Exception:** If the employee has been continuously employed by the city for a certain period of time, a close relative may be elected to the city council.

**Penalties:** Penalties for violating the nepotism provisions include a fine and immediate removal from office.

## Bribery/Gifts

**Definition of “bribery”:** A public official or public employee commits the crime of bribery when he accepts, agrees to accept, or solicits any benefit as consideration for a decision, opinion, recommendation, vote, or other exercise of discretion. The fact that a benefit or gift was not offered until after the exercise of official discretion is not considered a defense to a prosecution for bribery.

**Bribery penalty:** The penalty for violating the bribery law is a second-degree felony, punishable by two to twenty years imprisonment and a fine of up to \$10,000.

**Gifts:** Public officials and employees are generally prohibited from accepting gifts from any person subject to their jurisdiction, whether or not the gift is related to a specific official action.

**Exceptions:** Certain exceptions may apply, such as: (1) an item with a value of less than \$50 (excluding cash or a negotiable instrument, such as a check or gift card); (2) a gift given by a person with whom the official or employee has a familial, personal, business, or professional relationship, independent of the official or employee’s status or work; (3) any benefit that the official or employee is entitled to receive by law or for which the person has performed a duty independent of the person’s status as a public service (for example, a jury duty fee); or (4) any political contributions as defined by the Texas Election Code. In addition, a public employee or official may in certain circumstances accept as a guest an unsolicited gift or benefit of food, lodging, transportation, or entertainment, so long as the gift is not related to a specific official action.

**Gifts penalty:** The penalty for violating the acceptance of gifts prohibition is, with some exceptions, a class A misdemeanor, punishable by a fine of up to \$4,000 and/or jail time of up to one year.

**The following pages contain sample documents and templates that can be used as a reference to help board members and staff**

## CITY GOVERNANCE POLICIES, PROCEDURES AND GUIDELINES

The purpose of these rules of parliamentary procedure is to establish orderly conduct of the meetings. Simple rules lead to a wider understanding and participation. Complex rules create two classes: (1) those who understand the rules, and (2) those who do not fully understand and those who do not fully participate. The ultimate purpose of these rules of parliamentary procedure is to encourage and facilitate decision-making by the Board or Commission. In a democracy, the majority opinion carries the day. These rules enable the majority to express their opinion and fashion a result, while permitting the minority to also express itself (but not dominate) and fully participate in the process.

The following ten steps can be used as a model or guidebook by the presiding officer. The meeting is governed by the agenda and the agenda constitutes the only items to be discussed. Each agenda item can be handled by the presiding officer (Mayor) in the following basic format:

- (a) **Announce the Item.** The Chairperson should clearly announce the agenda item number and should clearly state what the subject matter of the agenda item by reading the caption for the item being considered.
- (b) **Receive a report.** The Chairperson should invite the appropriate people to report on the item, including any recommendation they might have.
- (c) **Ask Clarifying Questions.** The Chairperson should ask the Board Members if they have any technical questions for clarification. At this point, members of the City Council may ask clarifying questions to the people who reported on the item, and they should be given time to respond.
- (d) **Citizen Input.** The Chairperson should invite citizen comments – or if a public hearing, open the public hearing. Upon conclusion, the Chairperson should announce that public input is closed, or if a public hearing, close the public hearing.
- (e) **Motion First.** The Chairperson should invite a motion from the City Council before debate is given on the merits of the item. The Chairperson should announce the name of the member who makes the motion.
  1. **The Basic Motion.** The basic motion is the one that puts forward a decision for consideration. A basic motion might be “I move for approval of the Ordinance as submitted.”
  2. **Motion to Amend.** If a member wants to change a basic motion, he or she would have to motion to amend it. A motion to amend might be: “I move that we amend the motion to include the changes we discussed to the Ordinance.” A motion to amend seeks to retain the basic motion on the floor (a motion made and seconded), but to modify it in some way. It requires the agreement of the person making the original motion.

- (f) **Motion Second.** The Chairperson should determine if any member of the City Council wishes to second the motion. The Chairperson should announce the name of the member who seconds the motion.
- (g) **Repeat Motion.** If the motion is made and second, the Mayor should make certain that everyone (including the audience) understands the motion. This is done in three ways:
1. The Chairperson may ask the maker of the motion to repeat it;
  2. The Chairperson can repeat the motion; or
  3. The Chairperson can ask the Secretary to repeat the motion.
- (h) **Discuss the Motion.** The Chairperson should now invite the members of the Board or Commission to discuss the motion. If there is no desired discussion, the Chairperson may call for a vote. If there has been no discussion or a brief discussion, then there is no need to repeat the motion before taking a vote. If the discussion has been lengthy, it is a good idea to repeat the motion before calling for the vote.
1. The basic rule of motions is that they are subject to discussion and debate. Accordingly, the basic motion and the motion to amend are all eligible, each in their turn for full discussion by and before the Board or Commission. Discussion and debate can continue as long as the members wish to discuss it, or until the Chairperson decides that it is time to move on and call a vote on the motion.
  2. There are exceptions to the general rule of free and open debate on motions. The exceptions all apply when there is a desire of the Council to move on. The following motion are NOT debatable, and the Chairperson must immediately call a vote on the motion, if seconded by another member.
    - i. **Motion to Adjourn.** This motion, if passed, requires the Board or Commission to immediately adjourn to its next regularly scheduled meeting. This motion requires a simple majority vote.
    - ii. **Motion to Recess.** This motion, if passed, requires the Board or Commission to immediately take a recess. Normally the Chairperson will determine the length of the recess which could last for a few minutes to several hours. It requires a simple majority vote.
    - iii. **Motion to Fix the Time to Adjourn.** This motion, if passed, requires the Board or Commission to adjourn the meeting at the specific time set in the motion. For example, “I move we adjourn this meeting at Midnight.” It requires a simple majority vote.

iv. **Motion to Table.** This motion, if passed, requires discussion of the agenda item to be halted immediately, and the agenda to be placed on hold. The motion may contain specific time to bring up again, or it may not specify a time. If no time is specified, the item should be placed on the agenda at the following Board or Commission Meeting.

3. The following motions require a supermajority vote to pass. Normally a super majority vote consists of 6 votes (four to pass as a simple majority, plus two more).

NUMBER OF BOARD MEMBERS	NUMBER OF VOTES FOR SUPER MAJORITY
7	6 or more
6	5
5	4
4	3
3	3
2	2
1	1

i. **Motion to Limit Debate.** This motion is sometimes referred to as, “moving the question” or, “calling the question.” When a member of the Board or Commission makes such a motion, the member is saying, “I have had enough discussion, let’s vote on the issue.” When such a motion is made, the Chairperson should ask for a second, stop the discussion and vote on the motion to limit debate. The motion requires a super majority vote to pass. Meaning, the number of Board and Commission members voting for the motion must equal six or more.

ii. **Motion to Object to the Consideration of an Item.** This motion, if passed, precludes the Board or Commission from even considering the item on the agenda. It does not preclude the item from appearing on a future agenda. The motion requires a super majority vote to pass. (Normally, this motion is unnecessary, because the objectionable item can be defeated outright or tabled).

iii. **Motion to Suspend the Rules.** This motion IS debatable but requires a super majority vote to pass. This motion allows the Board or Commission to suspend its own rules for a particular purpose. For



example, the Council may desire to give a particular speaker more time than normally allowed. A “motion to suspend the rules and give the speaker ten additional minutes,” accomplishes this desire.

- (i) **Vote.** The Chairperson calls for the vote. Unless a super-majority is required for passage of the motion, a simple majority vote determines whether the motion passes or fails. Unless a member of the Board or Commission seeks recusal from voting on any question where the vote would constitute a conflict of interest, and that recusal is consented to by a majority of the remainder of the Board or Commission, all members of the Board or Commission, including the Chairperson, shall vote upon every question. Any Board Member or Commission Member refusing to vote unless so excused shall be entered upon the minutes as voting in the affirmative.
- (j) **Announce the Outcome.** The Chairperson announces the results of the vote and should also state what action (if any) the Board or Commission has taken. The Chairperson should announce the name of any member who voted in the minority on the motion.

These rules of order are meant to promote an atmosphere of courtesy and decorum appropriate for the efficient discussion of business. It is the responsibility of the Chairperson (and the members of the Board or Commission) to maintain that atmosphere of courtesy and decorum. The Chairperson should always ensure that debate and discussion focus on the item and the policy in question, not on the personalities of the participants of the discussion. Debate on policy is healthy; debate on personalities is not. In order to assist in the creation and maintenance of that atmosphere the following rules shall govern all meetings:

- (a) **Request to Speak.** Before a Board or Commission Member, staff member or an audience member may speak, they must first be recognized by the Chairperson. Upon recognition the person requesting to speak shall hold the floor and shall make their point clearly and succinctly. Audience members who wish to speak during an agenda must first complete a Request to Speak Card and submit it to the Secretary. The Chairperson has the right to cut a speaker off if the discussion becomes too personal, too loud or too crude.
- (b) **Order.** If a person fails to request to speak before speaking, the Chairperson shall rule them Out of Order and remind them that they do not have the floor. While the Board or Commission is in session, all Members must preserve order and decorum. A person shall neither, by conversation or otherwise, delay or interrupt the proceedings or the peace of the meeting, nor disturb any other person while speaking or refuse to obey the orders of the Chairperson. Members of the Board or Commission should not leave their seats during a meeting without first obtaining permission of the Chairperson or making a Motion to Recess.
- (c) **Improper References Prohibited.** Every person desiring to speak shall address the entire Board and shall not single out a member of the Council, the audience or a staff member. Speakers shall confine themselves to the question under debate, avoiding all personal attacks and indecorous language.

- (d) **Interruptions.** A Board or Commission Member, once recognized, shall not be interrupted when speaking unless it is to call him or her to order, or other such interruption expressed below (e-i). If the Board or Commission Member, while speaking, is called to order, he or she shall cease speaking until the question of order is determined, and if the Board or Commission Member is found to be in order, he or she shall be permitted to proceed speaking.
- (e) **Point of Privilege.** The proper interruption would be: “Point of Privilege.” The Chairperson would then ask the interrupter to, “state your point.” Appropriate points of privilege relate to anything that would interfere with the normal comfort of the meeting. For example, the room might be too hot or cold, or a fan motor might interfere with a Board or Commission Members ability to hear.
- (f) **Point of Order.** The proper interruption would be: “Point of Order.” The Chairperson would then ask the interrupter to, “state your point.” Appropriate points of order relate to anything that would not be considered appropriate conduct of the meeting. For example, if the Chairperson called for a vote on a motion that permits debate without allowing any discussion.
- (g) **Motion to Appeal.** If the Chairperson makes a ruling that a member of the body disagrees with, that member may appeal the ruling of the Chairperson by stating, “motion to appeal.” If the motion is seconded and after debate if it passes by a simple majority vote, the ruling of the Mayor is reversed.
- (h) **Call for Orders of the Day.** This is simply another way of saying, “let’s return to the agenda.” If a Board or Commission Member believes the discussion has strayed from the agenda, the motion does not require a vote. If the Chairperson discovers that the discussion has strayed from the agenda, he or she simply returns to the business of the day.
- (i) **Withdraw a Motion.** During the debate and discussion of a motion, the original maker of the motion on the floor, at any time, may interrupt the speaker to withdraw his or her motion. The motion is immediately deemed withdrawn and discussion on the motion shall cease. Board and Commission Members are free to make the same motion or another motion.

The following provisions may be used to enforce the good order and decorum of the meeting. The action may be taken by the Chairperson under his or her own action, or upon a Motion to Enforce by any Board or Commission Member.

- (a) **Warning.** The Chairperson may order any person (Board or Commission Member, staff member or audience member) in violation of these rules to be silent.
- (b) **Removal.** If, after receiving a warning from the Mayor, the person continues to disturb the meeting or breach the peace and good order of the meeting, the Chairperson may order the person to leave the meeting.

(c) **Motion to Enforce.** Any Board or Commission Member may move to require the Chairperson to enforce these rules and the affirmative vote of a simple majority of the Board or Commission shall require the Chairperson to do so. A motion to enforce is an allowable interruption and is not debatable.

**CONFLICT OF INTEREST QUESTIONNAIRE****FORM CIQ**

For vendor or other person doing business with local governmental entity

This questionnaire reflects changes made to the law by H.B. 1491, 80th Leg., Regular Session.

This questionnaire is being filed in accordance with Chapter 176, Local Government Code by a person who has a business relationship as defined by Section 176.001(1-a) with a local governmental entity and the person meets requirements under Section 176.006(a).

By law this questionnaire must be filed with the records administrator of the local governmental entity not later than the 7th business day after the date the person becomes aware of facts that require the statement to be filed. See Section 176.006, Local Government Code.

A person commits an offense if the person knowingly violates Section 176.006, Local Government Code. An offense under this section is a Class C misdemeanor.

**OFFICE USE ONLY**

Date Received

**1** Name of person who has a business relationship with local governmental entity.**2**  Check this box if you are filing an update to a previously filed questionnaire.

(The law requires that you file an updated completed questionnaire with the appropriate filing authority not later than the 7th business day after the date the originally filed questionnaire becomes incomplete or inaccurate.)

**3** Name of local government officer with whom filer has employment or business relationship.\_\_\_\_\_  
Name of Officer

This section (item 3 including subparts A, B, C &amp; D) must be completed for each officer with whom the filer has an employment or other business relationship as defined by Section 176.001(1-a), Local Government Code. Attach additional pages to this Form CIQ as necessary.

A. Is the local government officer named in this section receiving or likely to receive taxable income, other than investment income, from the filer of the questionnaire?

 Yes       No

B. Is the filer of the questionnaire receiving or likely to receive taxable income, other than investment income, from or at the direction of the local government officer named in this section AND the taxable income is not received from the local governmental entity?

 Yes       No

C. Is the filer of this questionnaire employed by a corporation or other business entity with respect to which the local government officer serves as an officer or director, or holds an ownership of 10 percent or more?

 Yes       No

D. Describe each employment or business relationship with the local government officer named in this section.

**4**\_\_\_\_\_  
Signature of person doing business with the governmental entity\_\_\_\_\_  
Date

Adopted 06/29/2007

AFFIDAVIT OF CONFLICT OF INTEREST

STATE OF TEXAS  
COUNTY OF GRAYSON

I, \_\_\_\_\_, as a member of the City Council of Denison, Texas make this affidavit and hereby, on oath, state the following: I, and/or a person or persons related to me, have a substantial interest in a business entity whose interest will be subject to a special economic effect distinguishable from the effect on the public by a vote or decision of the City Council, as those terms are defined in Chapter 171, *Texas Local Government Code*, on the matter of

\_\_\_\_\_  
\_\_\_\_\_.

The business entity is \_\_\_\_\_

\_\_\_\_\_ (have/has) a substantial interest in this business entity for the following reason(s): (Check all which are applicable)

- \_\_\_\_\_ I own 10% or more of the voting stock or shares of the business entity;
- \_\_\_\_\_ I own either 10% or more or \$15,000 or more of the fair market value of the business entity;
- \_\_\_\_\_ Funds received by me from the business entity exceed 10% of my gross income for the previous year;
- \_\_\_\_\_ Real property is involved and I have an equitable or legal ownership with a fair market value of \$2,500 or more;
- \_\_\_\_\_ A relative of mine, within the first degree of consanguinity or affinity, has a substantial interest in the business entity or property in one of the above respects that would be subject to a special economic effect by a decision of the public body of which I am a member.

Upon the filing of this affidavit with the City Clerk, before a vote or decision on the matter, I affirm that I will abstain from further participation in the matter involving this business entity whatsoever.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

\_\_\_\_\_  
Signature of Official

\_\_\_\_\_  
Title

STATE OF TEXAS  
COUNTY OF GRAYSON

BEFORE ME, the undersigned authority, on this day personally appeared \_\_\_\_\_ who after being by me duly sworn and on his/her oath deposed and says that he/she has read the above and foregoing and that every statement contained therein is within his/her personal knowledge and is true and correct.

\_\_\_\_\_  
Print name: \_\_\_\_\_  
Notary Public, State of Texas

My Commission Expires: \_\_\_\_\_

## GLOSSARY OF COMMON TERMS

<b><i>Affinity</i></b>	A relation by marriage.
<b><i>Agenda</i></b>	A document required for a meeting of a city governmental body which states the date, hour, place, and subject of each meeting. The agenda must be posted at City Hall for at least seventy-two (72) hours proceeding the scheduled time of the meeting. Only those matters posted on the agenda can be discussed and acted on by the governmental body.
<b><i>Business entity</i></b>	A sole proprietorship, partnership, firm, corporation, holding company, joint stock company, receivership, trust or any other entity recognized by law.
<b><i>Board or Body</i></b>	Any board, commission, agency or committee of the City created by the passage of a City Ordinance or Resolution with decision or advisory making authority designated as a board, commission, agency or committee by the City Council.
<b><i>City</i></b>	The City of Denison.
<b><i>City Council</i></b>	The City Council of the City of Denison.
<b><i>Closed meeting</i></b>	A meeting closed to the public which complies with specific state statutes.
<b><i>Consanguinity</i></b>	A relation or connection by blood.
<b><i>Degree</i></b>	Relating to consanguinity and affinity.  First degree of consanguinity means parents, children and siblings.  First degree of affinity means spouse, in laws/parents, children and siblings.  Second degree means grandparents, grandchildren, aunts, uncles, nephews, nieces and first cousins.
<b><i>Deliberation</i></b>	A verbal exchange during a meeting between a quorum of a governmental body, or between a quorum of a governmental body and another person, concerning an issue within the jurisdiction of the governmental body or any public business.
<b><i>Employee</i></b>	A person who is employed by the City.
<b><i>Ex officio</i></b>	By virtue or because of an office.

<b><i>Governmental</i></b>	A board or commission that has rulemaking, quasi-judicial, or advisory power and that is classified as a department, agency or political subdivision of a county or municipality.
<b><i>Governing body</i></b>	The Denison City Council and every Board, Commission, or Committee that exercises decision-making authority on behalf of the City.
<b><i>Incidental Interest</i></b>	An interest in a person, entity or property which is not a substantial interest and which has insignificant value or which would be affected only in a de minimis fashion by a decision.
<b><i>Judicial</i></b>	The power to judge, to administer justice and interpret laws and ordinances.
<b><i>Meeting</i></b>	A deliberation between a quorum of a governmental body, or between a quorum of a governmental body and another person, during which public business or public policy over which the governmental body has supervision or control is discussed or considered or during which the governmental body takes formal action. The term does not include the gathering of a quorum of a governmental body at a social function unrelated to the public business.
<b><i>Member</i></b>	A member of a board.
<b><i>Minutes</i></b>	A document recording the activities of every called meeting which are required to be prepared, approved, and signed by the Chairman and attested to by the Secretary. The minutes become part of the City's permanent records.
<b><i>Person</i></b>	Any individual, firm, trust, corporation, partnership or any other legal entity.
<b><i>Public Official</i></b>	Any person who is appointed to a board or commission by the City Council.
<b><i>Quorum</i></b>	The prescribed number of members of any body that must be present to legally transact business.
<b><i>Remote Interest</i></b>	An interest of a person or entity, including an Officer or Member who would be affected in the same way as the general public. The interest of a council member in the property tax rate, general city fees, city utility charges or a comprehensive zoning ordinance or similar decisions is incidental to the extent that the council member would be affected in common with the general public.

***Substantial Interest in a business entity or real property*** An individual, firm, trust, corporation, partnership or any other legal entity (or as established from time to time in Section 171.002, Texas Local Government Code):

- 1) With respect to a business entity, the interest is ownership of ten percent (10%) or more of the voting stock or shares of the business entity or ownership of either ten percent (10%) or more or Fifteen Thousand Dollars (\$15,000) or more of the fair market value of the business entity.
- 2) With respect to a business entity, funds received by the person from the business entity exceed ten percent (10%) of the officer or member's gross income for the previous year.
- 3) With respect to real property, equitable or legal ownership with a fair market value of Two Thousand Five Hundred Dollars (\$2,500) or more.



# QUICK REFERENCE EXAMPLE ON HOW TO CONDUCT AN EFFECTIVE MEETING

## *Call to Order*

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Say: this [regular or special] meeting of the [board name] is now called to order. The time is \_\_\_\_\_ AM/PM.

## *Announcement of a Quorum.*

---

The Chairperson shall announce that a quorum of the Board or Commission is present and shall state for the record the names of all members of the Board or Commission that are absent.

## *Proclamations and Presentations*

---

The Chairperson shall make any presentation as may be required from time to time.

## *Consent Agenda*

---

Before seeking a motion on the consent agenda, the Chairperson shall first ask the Board or Commission if any member would like to remove an item from the Consent Agenda and discuss it as an item for individual consideration. The remaining items on the consent agenda shall be voted upon before the consideration of any item removed for individual consideration.

## *Public Hearings*

---

This section is only used when a statutorily required public hearing is part of the order of business. The Chairperson shall open the public hearing and receive citizen input. While the public hearing is open, the Board or Commission may ask questions of the speakers but may not deliberate or argue with the public on the matter at hand. Those speaking at a public hearing are required to follow the rules establish herein for citizen comments. Upon conclusion of citizen comments, the Chairperson shall close the public hearing. The Board or Commission may deliberate or take action on the matter at hand upon the closing of the public hearing.

## *Items for Individual Consideration*

---

Items for individual consideration shall be considered by the Board or Commission individually and approved by either a simple majority vote or a super majority vote as the case may be.

## *Executive Session*

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The Board or Commission shall convene into Executive Session only in accordance with Chapter 551 of the Texas Government Code.

## *Adjournment*

---

The Chairperson shall adjourn the meeting upon passage of the appropriate motion.

## BOARDS AND COMMISSIONS LISTING

### ANIMAL ADVISORY COMMITTEE

Advises City in compliance with standards for the animal shelter and the welfare of the animals. Consists of individuals involved with animals.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Robert Lay, Code Compliance and Animal Services Manager**  
[rlay@cityofdenison.com](mailto:rlay@cityofdenison.com)  
(903) 465-2720, Ext. 2437

### BUILDING APPEALS BOARD

Appeals board for persons or firms aggrieved by a decision of the Chief Building Official or their inspectors.

**TERM:** 2-Year Term, expires in December

**STAFF CONTACT:** **Betty Floyd, Building Official**  
[bfloyd@cityofdenison.com](mailto:bfloyd@cityofdenison.com)  
(903) 465-2720, Ext. 2459

### CIVIL SERVICE COMMISSION

Appeals board for suspended or aggrieved civil service employees, formulates qualifications for fire and police applicants, and makes investigations concerning Civil Service Rules and Regulations.

**TERM:** 3-Year term, expires in December

**STAFF CONTACT:** **Amy Lay, Employee Services Director**  
[alay@cityofdenison.com](mailto:alay@cityofdenison.com)  
(903) 465-2720, Ext. 2445

### COMMUNITY DEVELOPMENT BLOCK GRANT STEERING COMMITTEE

An advisory committee to assist the City Council in the formation, implementation, and assessment of the Community Development Block Grant Program for the City of Denison. The Committee is responsible for conducting public hearings to receive input from the community on the expenditure of the funds.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Kimberly Murray, Community and Development Services Director**  
[kmurray@cityofdenison.com](mailto:kmurray@cityofdenison.com)  
(903) 465-2720, Ext. 2466

### CONVENTION AND VISITOR'S BUREAU ADVISORY BOARD

An advisory board to encourage tourism in the Denison community, to raise public visibility of local activity which may attract visitors to the City, and to promote and enhance tourism in the convention and hotel industry.

**TERM:** 3-Year term, expires in November

**STAFF CONTACT:** **Rebecca Robinson, Marketing and Tourism Coordinator**  
[rrobinson@cityofdenison.com](mailto:rrobinson@cityofdenison.com)  
(903) 465-2720, Ext.

### DENISON HISTORIC PRESERVATION BOARD

Protects and enhances the historic district and landmarks which represent distinctive elements of the City of Denison's historic, architectural and cultural heritage.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Kimberly Murray, Community and Development Services Director**  
[kmurray@cityofdenison.com](mailto:kmurray@cityofdenison.com)  
(903) 465-2720, Ext. 2466

### **DENISON MAIN STREET, INC.**

Exclusively for charitable, educational and/or scientific purposes under Section C (3) of the Internal Revenue Code.

**TERM:** 3-Year term, expires in December

**STAFF CONTACT:** **Donna Dow**, Main Street Director  
[ddow@cityofdenison.com](mailto:ddow@cityofdenison.com)  
(903) 465-2720, Ext. 2452

### **DENISON PUBLIC LIBRARY ADVISORY BOARD**

Liaison between Library Administration and City Council helps determine financial needs of library; advises Library Administrative staff concerning policies affecting the general public. The Board shall also constitute and serve as the Board of Trustees for the Denison Public Library Endowment Fund.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Greg Mitchell**, Library Director  
[gmitchell@cityofdenison.com](mailto:gmitchell@cityofdenison.com)  
(903) 465-2720, Ext.

### **DENISON SISTER CITIES, INC. BOARD**

Promotes, fosters and publicizes state and national programs of international municipal cooperation organizations. Specifically, organizes and sponsors the Cognac, France/Denison student exchange program.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Sunny Mackey**, Director of Community Engagement  
[smackey@cityofdenison.com](mailto:smackey@cityofdenison.com)  
(903) 465-2720, Ext. 2030

### **DENISON YOUTH ADVISORY COMMISSION**

Made up of fifteen members between the ages of 14 and 19 to serve as a liaison between the City Council and the youth of the community.

**TERM:** 2-Year term, expires in August

**STAFF CONTACT:** **Sunny Mackey**, Director of Community Engagement  
[smackey@cityofdenison.com](mailto:smackey@cityofdenison.com)  
(903) 465-2720, Ext. 2030

### **FIREMEN'S RELIEF AND RETIREMENT FUND BOARD**

Oversees the pension and retirement fund for the Denison Firefighters.

**TERM:** 3-Year term for Firemen Board members, expiring in January; 2-Year term for citizen Board members, expiring in February

**STAFF CONTACT:** **Renee Waggoner**, Finance and Administrative Services Director  
[rwaggoner@cityofdenison.com](mailto:rwaggoner@cityofdenison.com)

### **MAIN STREET ADVISORY BOARD**

Promotes and encourages participation in all aspects of the Main Street Program and advises and supports the Main Street Project Manager.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Donna Dow**, Main Street Director  
[ddow@cityofdenison.com](mailto:ddow@cityofdenison.com)  
(903) 465-2720, Ext. 2452

## **PARKS AND RECREATION COMMISSION**

Advisory to the City Council for all parks and recreation lands and uses.

**TERM:** 2-Year term, expires in April

**STAFF CONTACT:** **Justin Eastwood**, Parks and Recreation Director

[jeastwood@cityofdenison.com](mailto:jeastwood@cityofdenison.com)

(903) 465-2720, Ext.

## **PLANNING AND ZONING COMMISSION**

Performs all functions relative to the preparation, adoption and amendment of a comprehensive zoning ordinance for the City, including the conduct of public hearings related thereto; performs all functions related to the review and approval of subdivision plats which may be assigned to it by the statutes of the state and ordinances or Charter of the City; recommends to and advises the City Council on matters involving the physical improvement of the City.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Kimberly Murray**, Community and Development Services Director

[kmurray@cityofdenison.com](mailto:kmurray@cityofdenison.com)

(903) 465-2720, Ext. 2466

## **TAX INCREMENT REINVESTMENT ZONE #1 BOARD**

Makes recommendations to the City Council concerning the administration of Zone #1. The Board also prepares, implements and monitors such project plan and financing plan for the reinvestment zone as the City Council considers advisable, including the submission of an annual report of the status of Zone #1.

**TERM:** 2-Year term, expires in June

**STAFF CONTACT:** **Judson Rex**, City Manager

[jrex@cityofdenison.com](mailto:jrex@cityofdenison.com)

(903) 464-4440

## **TAX INCREMENT REINVESTMENT ZONE #2 BOARD**

Makes recommendations to the City Council concerning the administration of Zone #2. The Board also prepares, implements and monitors such project plan and financing plan for the reinvestment zone as the City Council considers advisable, including the submission of an annual report of the status of Zone #2.

**TERM:** 2-Year term, expires in September

**STAFF CONTACT:** **Judson Rex**, City Manager

[jrex@cityofdenison.com](mailto:jrex@cityofdenison.com)

(903) 464-4440

## **TAX INCREMENT REINVESTMENT ZONE #3 BOARD**

Makes recommendations to the City Council concerning the administration of Zone #3. The Board also prepares, implements and monitors such project plan and financing plan for the reinvestment zone as the City Council considers advisable, including the submission of an annual report of the status of Zone #3.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Judson Rex**, City Manager

[jrex@cityofdenison.com](mailto:jrex@cityofdenison.com)

(903) 464-4440

## **ZONING BOARD OF ADJUSTMENTS & APPEALS**

Hear and decide appeals that allege errors in an order, requirement, decision or determination made by an administrative official, authorize, in specific cases, a variance, may reverse or affirm, in whole or in part, or modify the administrative officials order, requirement, decision or determination from which an appeal is taken and make the correct order.

**TERM:** 2-Year term, expires in December

**STAFF CONTACT:** **Kimberly Murray**, Community and Development Services Director  
[kmurray@cityofdenison.com](mailto:kmurray@cityofdenison.com)  
(903) 465-2720, Ext. 2466